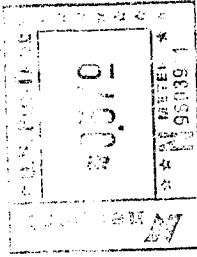


OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA
U.S. COURTHOUSE
228 WALNUT STREET
P.O. BOX 983
HARRISBURG, PA 17108

FILED
HARRISBURG, PA

DEC 17 2004

MARYE D'ANDREA, CLERK
Per _____
Deputy Clerk



DAUPHIN COUNTY PRISON
501 MALL ROAD
HARRISBURG, PA 17111

RETURN TO SENDER
[] ADDRESS UNKNOWN

A ☐ C ☐ S ☐
☐ INSUFFICIENT ADDRESS
☐ ATTEMPTED NOT KNOWN
☐ NO SUCH NUMBER/ STREET
☐ NOT DELIVERABLE AS ADDRESSED
- UNABLE TO FORWARD

RTS
RETURN TO SENDER

17111+1299 69

Juken Washington Gordon

05373-088

Dauphin County Prison

#66,010

501 Mall Road

Harrisburg, PA 17111

Case No: 1:01-cv-00331-SHR Document No: 144, User: ma, 1 Copy Printed: Oct, 26, 2004
10:52 AM

Juken Washington Gordon
USP-ALLENWOOD
05373-088
P.O. Box 3000
White Deer, PA 17887

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JUKEN W. GORDON,

Plaintiff

v.

N. GONZALEZ, *et al.*,

Defendants

CIVIL NO. 1: CV 01-0331

(Judge Rambo)

ORDER

Before the court is Plaintiff's motion for stay or continuance of trial and Defendants' motion for leave to file an answer *nunc pro tunc*. Plaintiff has taken an interlocutory appeal of this court's ruling on a motion *in limine* which precludes Plaintiff from introducing certain evidence. This is not an appealable order and, therefore, the motion to stay will be denied.

It appears that the failure of Defendants to file an answer was inadvertent; this inadvertence was raised by Defendants; no prejudice will be suffered by Plaintiff as all parties are aware of all issues in the case. Thus, this motion will be granted.

IT IS THEREFORE ORDERED THAT:

- 1) Plaintiff's motion for stay or continuance is **DENIED**.
- 2) Defendants' motion for leave to file an answer *nunc pro tunc* is **GRANTED**. Defendants' answer is deemed timely filed and the Clerk of Court shall docket the proposed answer submitted with Defendants' motion.
- 3) Trial remains scheduled for Monday, November 1, 2004, at 9:30 a.m.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: October 26, 2004.